

## **Appendix**

(Clause 49)  
*Environmental Planning and Assessment Regulation 2021*  
(Section 205)

## **Explanatory Note**

### **Draft Planning Agreement**

Under s7.4 of the *Environmental Planning and Assessment Act 1979*

### **Parties**

**Coffs Harbour City Council** ABN 79 126 214 487 of Corner of Coff and Castle Street, Coffs Harbour NSW 2450 (**Council**)

**INA PLANTATIONS DEVELOPMENT PTY LIMITED.** ABN 12 159 195 632 of Level 3, 88 Cumberland Street, The Rocks NSW 2000 (**Developer**)

**INA Operations Pty Limited** ACN 159 195 632 **as trustee for INA OPERATIONS TRUST NO. 8** (ABN 17 367 710 321) of Level 3, 88 Cumberland Street, The Rocks NSW 2000 (**Landowner**)

### **Description of the Land to which the Draft Planning Agreement Applies**

Lot 11 in Deposited Plan 830936, Newmans Road Woolgoolga NSW 2456.

### **Description of Proposed Development**

The development of the land to which the Draft Planning Agreement applies for the purposes of an over 55's manufactured housing estate including:

- (a) infrastructure upgrades and bulk-earthworks;
- (b) establishment of 180 dwelling sites and 10 caravan parking spots;
- (c) construction of a clubhouse and community areas;
- (d) construction of stormwater detention and water quality basins;

(e) construction of internal roads and a public pedestrian pathway; and

(f) extensive landscape works.

## **Description of Development Contributions**

The carrying out of all works required to deliver the Newmans Road upgrade and the Newmans Road Intersection upgrade under the Woolgoolga North West and Woolgoolga West Development Contributions Plan 2023.

## **Summary of Objectives, Nature and Effect of the Draft Planning Agreement**

### **Objectives, Nature and Effect of Draft Planning Agreement**

The Draft Planning Agreement requires the Developer to provide the Development Contributions to the Council in connection with carrying out of the Development.

The object of the Draft Planning Agreement is to facilitate the carrying out of works by the Developer to ensure the delivery of necessary road network upgrades.

## **Assessment of the Merits of the Draft Planning Agreement**

### **How the Draft Planning Agreement Promotes the Public Interest**

Existing development in Woolgoolga North West and Woolgoolga West release areas has created demand for new and upgraded local infrastructure, including roads and future development will further increase the demand.

The Woolgoolga North West and Woolgoolga West Development Contributions Plan 2023 recognises that the share demand for the upgrades should be apportioned to ensure that developers are not unduly burdened by paying for infrastructure for which they have not created a demand.

The delivery of the road upgrades under the Draft Planning Agreement will facilitate the delivery of important road upgrades required to service the land covered by the Woolgoolga North West and Woolgoolga West Development Contributions Plan 2023 in a more timely and efficient fashion than if Council was required to deliver the works itself via the Woolgoolga North West and Woolgoolga West Development Contributions Plan 2023.

### ***Whether the Draft Planning Agreement Conforms with the Authority's Capital Works Program***

The Draft Planning Agreement is not inconsistent with the Council's Capital Works Program.

***Whether the Draft Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued***

The Draft Planning Agreement requires that the works required to be carried out under the agreement be carried out prior to an Occupation Certificate in respect of the Development.

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